



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
www.uspto.gov

Michael R. Ward  
Morrison & Foerster LLP  
425 Market  
San Francisco, CA 94105-2482

**COPY MAILED**

**OCT 02 2006**

**OFFICE OF PETITIONS**

In re Application of  
Michael Wayne Graham et al.  
Application No. 09/646,807  
Filed: December 5, 2000  
Attorney Docket No. DAVI105.001A

:  
:  
:  
:  
:  
:  
:  
:  
:  
:

**DECISION ON PETITION  
TO WITHDRAW  
FROM RECORD**

This is a decision on the Request to Withdraw as attorney or agent under 37 C.F.R. § 1.36(b) or 37 C.F.R. § 10.40 filed June 12, 2006.

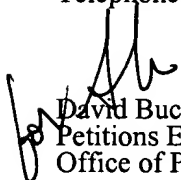
The request is **NOT APPROVED**.

A review of the file record indicates that B. Todd Patterson does not have power of attorney in this patent application. Accordingly, the request to withdraw under 37 C.F.R. § 1.36(b) is not applicable.

The Office cannot approve the request at this time since the reasons provided do not meet any of the conditions under the mandatory or permissive categories enumerated in 37 CFR 10.40. Section 10.40 of Title 37 of the Code of Federal Regulation states, "[a] practitioner shall not withdraw from employment in a proceeding before the Office without permission from the Office[.]" More specifically, 37 CFR 10.40 states, "[i]f paragraph (b) of this section is not applicable, a practitioner may not request permission to withdraw in matter pending before the Office unless such request or such withdrawal is" for one the permissive reasons listed in 37 CFR 10.40(c). The reasons set forth in the request, **the application has been transferred to another firm for handling**, do not meet any the conditions set forth in 37 CFR 10.40.

All future communications from the Office will continue to be directed to the below-listed address until otherwise properly notified by the applicant.

Telephone inquiries concerning this decision should be directed to Terri Williams at 571-272-2991.

  
David Bucci  
Petitions Examiner  
Office of Petitions

cc: **Patton Boggs, LLP**  
8484 Westpark Drive  
Suite 900  
McLean, VA 22102